

07/601  
J1055 U.S. PTO07-10-01  
AJ1046 U.S. PTO  
09/09/01

## UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

ADDRESS TO:		Attorney Docket No. 97,195-P
Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231		First Named Inventor Burg, et al. Express Mail No. EL604650475US
APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS
<p>1. <input checked="" type="checkbox"/> Transmittal Form with Fee 2. <input checked="" type="checkbox"/> Specification (including claims and abstract) [Total Pages 43] 3. <input checked="" type="checkbox"/> Drawings [Total Sheets 29] 4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 12] a. <input type="checkbox"/> Newly executed b. <input checked="" type="checkbox"/> Copy from prior application [Note Boxes 5 and 18 below] i. <input type="checkbox"/> <u>Deletion of Inventor(s)</u> Signed statement attached deleting inventor(s) named in the prior application</p> <p>5. <input checked="" type="checkbox"/> Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>6. <input type="checkbox"/> Computer Code Listing (See 1.96) a. <input type="checkbox"/> Microfiche Appendix b. <input type="checkbox"/> CD-Rom (in duplicate, with separate transmittal)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy c. <input type="checkbox"/> Statement verifying above copies</p> <p>8. <input type="checkbox"/> Small Entity Status <input type="checkbox"/> is claimed <input type="checkbox"/> Statement filed in prior application; status still proper and desired <input type="checkbox"/> is no longer claimed.</p>		<p>9. <input type="checkbox"/> Assignment Papers 10. <input checked="" type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input type="checkbox"/> A Request for non-publication pursuant to 35 USC 122(b)(2)(B)(i) 17. <input checked="" type="checkbox"/> Other: Certificate of Express Mail</p>
<p>18. <input checked="" type="checkbox"/> This is a CONTINUING APPLICATION. Please note the following:</p> <p>a. <input checked="" type="checkbox"/> This is a <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of prior application 09/245,939.</p> <p>b. <input checked="" type="checkbox"/> Cancel in this application original claims 2-9 of the prior application before calculating the filing fee. (At least one claim must remain.)</p> <p>c. <input checked="" type="checkbox"/> Amend the specification by inserting before the first line the sentence: This is a <input checked="" type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part of application Serial No. 09/245,939.</p> <p>d. <input type="checkbox"/> The prior application is assigned of record to .</p>		

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 97,195-P

## APPLICATION FEES

BASIC FEE				\$ 710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	18	-20=	x \$18.00	\$ 0.00
Independent Claims	2	- 3=	x \$80.00	\$ 0.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$270.00	\$
			Total of above calculations =	\$ 710.00
			Reduction by 50% for filing by small entity =	\$( )
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$
			TOTAL =	\$ 710.00

19.  Please charge my Deposit Account No. 13-2490 in the amount of \$20.  A check in the amount of \$710.00 is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

## 23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

## 24. USPTO CUSTOMER NUMBER



20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert &amp; Berghoff

## 25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	Lisa M.W. Hillman
Reg. No.	43,673
Signature	
Date	July 9, 2001

UTIL (Rev. 11/21/00)

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
(NEW PATENT APPLICATION)**

Express Mail No. EL604650475US

Deposited July 9, 2001

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Box New Application, Washington, DC 20231.

By: Ronald Woods  
(person *actually* depositing)

Patent Application of: Burg, et al.

Title: Improved Nucleic Acid Assays

- Patent Application (43 pages, including claims)
- Drawings (29 sheets)
- Postcard
- Transmittal Letter
- Check
- Information Disclosure Statement
- Preliminary Amendment
- Other

Attorney Docket No.:97,195-P